

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**NINTH LEGISLATIVE DAY  
TUESDAY, JANUARY 20, 2015**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent – Shepherd. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Phaeren Roby, Page.

### **3RD ORDER**

#### **Approval of Journal**

January 20, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

There being no objection, the House advanced to the Eighth Order of Business.

### **8TH ORDER**

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 4**

##### **BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2701, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 37-2716, IDAHO CODE, TO REVISE LANGUAGE RELATING TO REGISTRATION REQUIREMENTS, TO PROVIDE AN EXEMPTION AND TO PERMIT FEDERAL REGISTRANTS TO CONDUCT RESEARCH; AMENDING SECTION 37-2717, IDAHO CODE, TO REVISE LANGUAGE RELATING TO REGISTRATION, TO ALLOW CONSIDERATION OF FEDERAL REGISTRATION RESTRICTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 37-2718, IDAHO CODE, TO PROVIDE THE BOARD WITH ADDITIONAL DISCIPLINARY OPTIONS AND AUTHORITY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 37-2719, IDAHO

CODE, TO ADD RESTRICTION TO ACTIONS THAT REQUIRE AN ORDER TO SHOW CAUSE AND TO REVISE THE FINING AUTHORITY OF THE BOARD; AND AMENDING SECTION 37-2720, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO RECORDS OF REGISTRANTS AND TO MAKE TECHNICAL CORRECTIONS.

#### **HOUSE BILL NO. 5**

##### **BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO PHARMACY; AMENDING SECTION 54-1718, IDAHO CODE, TO CLARIFY BACKGROUND CHECK REQUIREMENTS FOR APPLICANTS AND TO MAKE TECHNICAL CORRECTIONS.

#### **HOUSE BILL NO. 6**

##### **BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO PRESCRIPTION DRUGS; AMENDING SECTION 54-1733, IDAHO CODE, TO PROVIDE THAT PRESCRIPTION DRUG ORDERS ARE VALID ONLY IF ISSUED BY A PRESCRIBER UNDER CERTAIN CIRCUMSTANCES, TO REMOVE LANGUAGE RELATING TO TRANSMISSION OF PRESCRIPTION DRUG ORDERS AND TO PROVIDE THAT CERTAIN ACTS ARE UNLAWFUL AND CONSTITUTE UNPROFESSIONAL CONDUCT; AND AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1733A, IDAHO CODE, TO PROVIDE THAT PRESCRIPTION DRUG ORDERS MAY BE TRANSMITTED IN CERTAIN WAYS.

#### **HOUSE BILL NO. 7**

##### **BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO CONTROLLED SUBSTANCES; AMENDING SECTION 37-2726, IDAHO CODE, TO CLARIFY THAT AN ORDER FOR THE RELEASE OF PRESCRIPTION MONITORING PROGRAM RECORDS MUST BE ISSUED BY A JUDGE.

#### **HOUSE BILL NO. 8**

##### **BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO PHARMACISTS; AMENDING SECTION 54-1705, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1732, IDAHO CODE, TO PROHIBIT WHOLESALE DISTRIBUTION OF DRUGS OR DEVICES BY PHARMACIES, WITH CERTAIN EXCEPTIONS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 54-1734, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS MAY POSSESS LEGEND DRUGS; AMENDING SECTION 54-1735, IDAHO CODE, TO PROVIDE THAT PHARMACISTS KEEP PATIENT RECORDS; AMENDING SECTION 54-1752, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 54-1753, IDAHO CODE, TO REVISE AND CLARIFY LICENSURE REQUIREMENTS, TO REQUIRE THAT WHOLESALE DISTRIBUTORS MONITOR AND IDENTIFY CERTAIN DRUG ORDERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1754, IDAHO

CODE, TO REMOVE LANGUAGE RELATING TO RETURNS OR EXCHANGES OF PRESCRIPTION DRUGS AND TO PROHIBIT CERTAIN WHOLESALER DISTRIBUTIONS; AMENDING SECTION 54-1758, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO PROHIBITED ACTS, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 54-1755, IDAHO CODE, RELATING TO PEDIGREE; REPEALING SECTION 54-1756, IDAHO CODE, RELATING TO ENFORCEMENT ORDERS; AND AMENDING SECTIONS 37-3201, 54-1759, 54-1761, 54-4702 AND 54-5110, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

**HOUSE BILL NO. 9**  
**BY HEALTH AND WELFARE COMMITTEE**  
**AN ACT**

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2709, IDAHO CODE, TO REVISE THE LIST OF SCHEDULE III UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2711, IDAHO CODE, TO REVISE THE LIST OF SCHEDULE IV UNIFORM CONTROLLED SUBSTANCES; AND DECLARING AN EMERGENCY.

[H 4](#), [H 5](#), [H 6](#), [H 7](#), [H 8](#), and [H 9](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Eleventh Order of Business.

**11TH ORDER**  
**Third Reading of Bills and Joint Resolutions**

**[H 3](#) - ELECTION QUALIFICATIONS**

[H 3](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall [H 3](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle(Purdy), Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.

Absent – Shepherd. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 3](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Thirteenth Order of Business.

**13TH ORDER**  
**Miscellaneous and Unfinished Business**

The following committee assignments were made:

**Attache Committee**

Representative Bell, Chairman  
Representative Luker  
Representative Dayley

**Memorial Committee**

Representative Packer, Chairman  
Representative Miller  
Representative Nye

**Idaho Day Committee**

Representative Bateman, Chairman  
Representative Beyeler  
Representative Jordan

**Lincoln Day Committee**

Representative Horman, Chairman  
Representative Anderst  
Representative Wintrow

There being no objection, the House advanced to the Sixteenth Order of Business.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, January 21, 2015. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:17 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk